United Nations S/2018/1116

Security Council

Distr.: General
31 December 2018
English
Original: French

Letter dated 14 December 2018 from the Chair of the Security Council Committee pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee pursuant to resolution 751 (1992) concerning Somalia, containing an account of the Committee's activities from 1 January to 31 December 2018. The report, which was approved by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

I should be grateful if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Kairat **Umarov**
Chair
Security Council Committee pursuant to
resolution 751 (1992) concerning Somalia

18-21271 (E) 191218 020119

Please recycle

[Original: English]

Report of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea from 1 January to 14 November 2018 and of the Security Council Committee pursuant to resolution 751 (1992) concerning Somalia from 14 November to 31 December 2018

I. Introduction

1. The present report covers the work of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea for the period from 1 January to 14 November 2018, when the Security Council adopted resolution 2444 (2018). By paragraph 9 of that resolution, the Council decided that the Committee should be known as the Security Council Committee pursuant to resolution 751 (1992) concerning Somalia. Consequently, the present report covers the work of the renamed Committee from 14 November to 31 December 2018.

2. The Bureau of both Committees consisted of Kairat Umarov (Kazakhstan) as Chair and the representatives of Equatorial Guinea and Kuwait as Vice-Chairs.

II. Background

3. By its resolution 733 (1992), the Security Council imposed a general and complete arms embargo on Somalia, and by its resolution 751 (1992), the Council established a committee to oversee the implementation of the embargo. Subsequently, in its resolutions 1356 (2001), 1425 (2002), 1744 (2007), 1772 (2007), 1846 (2008), 1851 (2008), 1916 (2010), 2060 (2012), 2093 (2013), 2111 (2013), 2142 (2014), 2182 (2014), 2244 (2015), 2317 (2016), 2385 (2017) and 2444 (2018), the Council introduced exemptions to and further defined the scope of the embargo.

4. By its resolution 1425 (2002), the Security Council established the Panel of Experts on Somalia, which was succeeded by the Monitoring Group established by its resolution 1519 (2003). By paragraphs 1, 2 and 7 of its resolution 1844 (2008), the Council imposed targeted measures (a travel ban, an asset freeze and a targeted arms embargo) on individuals and entities designated by the Committee. In the same resolution, the Council also introduced certain exemptions to those measures. In its resolution 2036 (2012), the Council imposed a ban on the direct or indirect import of charcoal from Somalia, whether or not the charcoal originated in Somalia. In its resolution 2093 (2013), the Council partially lifted the arms embargo for the development of the security forces of the Federal Government of Somalia.

5. In its resolution 1907 (2009), the Security Council imposed a two-way arms embargo on Eritrea, as well as targeted measures (a travel ban, an asset freeze and a targeted arms embargo) on individuals and entities designated by the Committee. The Council expanded the mandate of the Committee to enable it to oversee the implementation of those measures. The Monitoring Group, the name of which was changed to the Monitoring Group on Somalia and Eritrea, was mandated to monitor, investigate and report on the implementation of the measures imposed in resolution 1907 (2009). In the same resolution, the Council also introduced certain exemptions to the targeted measures. On 5 December 2011, the Council adopted its resolution

2023 (2011), by which it expanded the restrictive measures concerning Eritrea in the areas of the "diaspora tax", the Eritrean mining sector and financial services.

6. In 2014, the Security Council renewed the partial lifting of the arms embargo for the development of the security forces of the Federal Government of Somalia on two occasions: in resolution 2142 (2014), for a period of six months, and in resolution 2182 (2014), until 30 October 2015. In its resolution 2182 (2014), the Council authorized, for a period of 12 months, Member States acting nationally or through voluntary multinational naval partnerships, such as "combined maritime forces", to interdict charcoal and arms being transported in violation of the sanctions measures in Somali territorial waters and on the high seas off the coast of Somalia, extending to and including the Arabian Sea and the Persian Gulf. The Council renewed the partial lifting of the arms embargo for the development of the security forces of the Federal Government of Somalia and the authorization for the maritime interdiction of arms and Somali charcoal in its resolutions 2244 (2015), 2317 (2016), 2385 (2017) and 2444 (2018), most recently until 15 November 2019.

7. In its resolution 2444 (2018), the Security Council terminated the sanctions regime on Eritrea established pursuant to its resolutions 1907 (2009), 2023 (2011), 2060 (2012) and 2111 (2013). In the same resolution, the Council modified the mandate of the Committee to oversee the measures relating to Somalia only and decided that the Committee should be known as the Security Council Committee pursuant to resolution 751 (1992) concerning Somalia. The Council also terminated the mandate of the Monitoring Group on Somalia and Eritrea with effect from 16 December 2018 and established, with immediate effect until 15 December 2019, the Panel of Experts on Somalia, consisting of six experts and based in Nairobi. The mandate of the Panel of Experts includes the tasks of the Monitoring Group as they relate to Somalia.

8. Further background information on the Somalia sanctions regime can be found in the previous annual reports of the Committee.

III. Summary of the activities of the Committee

9. The Committee met nine times in informal consultations, on 15 January, 8 February, 20 April, 7 and 25 June, 20 July, 11 September and 1 and 12 October, in addition to conducting its work through written procedures.

10. During the informal consultations held on 15 January, the Chair introduced to the Committee the eight newly appointed members of the Monitoring Group on Somalia and Eritrea, and the Coordinator of the Monitoring Group outlined some of the Group's priorities.

11. During the informal consultations held on 8 February, the Committee exchanged views with the Minister for Foreign Affairs and International Cooperation of the Government of Somalia.

12. During the informal consultations held on 20 April, the Coordinator of the Monitoring Group provided the Group's midterm update to the Committee, in accordance with paragraph 48 of resolution 2385 (2017).

13. During the informal consultations held on 7 June, the Chair of the Committee gave a briefing on his visit to Djibouti, Ethiopia, Kenya and Somalia from 4 to 10 May 2018. The Committee also discussed the recommendations contained in the Chair's visit report and subsequently issued a press release containing a summary of the consultations.

14. During the informal consultations held on 25 June, the Committee discussed the recommendations made by the joint verification team of arms and ammunition in its most recent report, of 1 May 2018. The Federal Government of Somalia works jointly with Conflict Armament Research on the team.

15. During the informal consultations held on 20 July, the Committee received a briefing from the Special Representative of the Secretary-General for Somalia and Head of the United Nations Assistance Mission in Somalia on the security situation in Somalia, including the regional dimension, political developments and weapons and ammunition management.

16. During the informal consultations held on 11 September, the Committee received a briefing from the National Security Adviser to the President of the Federal Government of Somalia on the progress made by the Government on sanctions issues.

17. During the informal consultations held on 1 October, the Committee received a briefing from the Deputy Director of the Operations and Advocacy Division of the Office for the Coordination of Humanitarian Affairs on the humanitarian situation in Somalia and impediments to the delivery of humanitarian assistance.

18. During the informal consultations held on 12 October, the Committee heard a presentation by the Monitoring Group on its final reports on Somalia and Eritrea, submitted pursuant to paragraph 48 of Security Council resolution 2385 (2017), and discussed the recommendations contained therein. The Committee also interacted with the delegations of Somalia and Eritrea. In accordance with paragraph 104 of the annex to the note by the President of the Security Council (S/2017/507), the Committee issued a press release containing a brief summary of the meeting.

19. On 13 March, 30 July and 5 November, the Chair presented to the Security Council the 120-day briefings on the work of the Committee, pursuant to paragraph 11 (g) of resolution 1844 (2008). The briefing of 30 July was given at a public meeting (see S/PV.8322).

20. From 4 to 10 May 2018, the Chair visited Djibouti, Ethiopia, Kenya and Somalia. A report on the visit was circulated to the members of the Committee on 30 May. The visit marked the Chair's first trip since 2010 to the Horn of Africa region.

21. On 25 September, on the sidelines of the high-level week of the seventy-third session of the General Assembly, the Chair held a meeting with the Minister for Foreign Affairs of Eritrea, Osman Saleh Mohammed. On 5 October, the Chair facilitated and participated in a meeting between the Coordinator of the Monitoring Group and a senior political adviser to the President of Eritrea, Yemane Gebreab, at the Permanent Mission of Kazakhstan to the United Nations. Both meetings contributed to the advancement of the process of lifting the sanctions on Eritrea.

22. On 25 June, the Committee sent two notes verbales to all Member States reminding them of their obligations to implement the charcoal ban and the arms embargoes, as set out in its Implementation Assistance Notices Nos. 1 and 2, respectively.

23. On 13 July, the Committee updated its Implementation Assistance Notice No. 2, which provides guidance to Member States on the arms embargo restrictions in place, to include some of the recommendations made by the joint verification team in its report of 1 May 2018.

24. The reports of the Federal Government of Somalia submitted to the Security Council pursuant to paragraph 8 of resolution 2385 (2017) were circulated to the Committee on 10 April and 4 October, respectively.

25. The Committee sent 36 communications to 11 Member States and other stakeholders with reference to the implementation of the sanctions measures.

IV. Exemptions

26. Exemptions to the arms embargo on Somalia are contained in paragraphs 7, 10 (g) and 11 (a) of resolution 2111 (2013), paragraph 4 of resolution 2142 (2014) and paragraph 14 of resolution 2444 (2018). Further Council requirements related to the partial lifting of the arms embargo for the Federal Government of Somalia are contained in paragraphs 6 and 7 of resolution 2142 (2014).

27. Exemptions to the asset freeze on Somalia are contained in paragraph 4 of resolution 1844 (2008).

28. Exemptions to the travel ban on Somalia are contained in paragraph 2 of resolution 1844 (2008).

29. The Committee received 20 notifications pursuant to paragraph 10 (g) of resolution 2111 (2013). The Committee also received 14 notifications pursuant to paragraph 2 of resolution 2385 (2017) and 1 pursuant to paragraph 14 of resolution 2444 (2018), of which 7 were from the Federal Government of Somalia. The Committee also received seven communications from the Federal Government of Somalia pursuant to paragraphs 6 and 7 of resolution 2142 (2014).

V. Sanctions list

30. The criteria for the designation of individuals and entities as subject to the travel ban, asset freeze and targeted arms embargo for the Somalia sanctions regime are set out in paragraph 8 of resolution 1844 (2008), paragraph 1 of resolution 2002 (2011), paragraph 23 of resolution 2036 (2012), paragraphs 1 to 3 of resolution 2060 (2012) and paragraph 43 of resolution 2093 (2013). The procedures for requesting listing and delisting are described in the Committee's guidelines for the conduct of its work.

31. On 8 March, the Committee added two individuals to its sanctions list.

32. As at the end of the reporting period, there were 15 individuals and one entity on the sanctions list of the Committee.

VI. Monitoring Group on Somalia and Eritrea and Panel of Experts on Somalia

33. On 13 April, in accordance with paragraph 48 of Security Council resolution 2385 (2017), the Monitoring Group provided its comprehensive midterm update to the Committee. On 2 October, in accordance with the same paragraph, the Monitoring Group provided its final reports on Somalia and on Eritrea to the Committee, which were transmitted to the Council on 8 November and issued as documents of the Council (S/2018/1002 and S/2018/1003, respectively). In accordance with its mandate, the Group also provided monthly updates to the Committee.

34. On 15 December, following the adoption by the Security Council of resolution 2444 (2018), the Secretary-General appointed six individuals to serve on the Panel of Experts on Somalia, with expertise in arms, armed groups, armed groups/natural resources, finance, humanitarian affairs and regional issues (see S/2018/1115). The mandate of the Panel expires on 15 December 2019.

35. The Monitoring Group conducted visits to Bahrain, Côte d'Ivoire, Denmark, Djibouti, Ethiopia, France, Ghana, the Netherlands, Oman, Qatar, Seychelles, Somalia, the Sudan, Sweden, Turkey, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and the United States of America. In Somalia, members of the Group undertook visits to Baidoa, Belet Weyne, Bosaso, Buur Gaabo, Garoowe, Hobyo, Kismaayo and Mogadishu.

36. In pursuance of its mandate, the Monitoring Group, through the Secretariat, sent 133 letters to Member States, the Security Council, the Committee and international and national entities. The Panel of Experts on Somalia sent one letter to a Member State.

VII. Secretariat administrative and substantive support

37. The Security Council Affairs Division provided substantive and procedural support to the Chair and the members of the Committee. Advisory support was also provided to Member States to promote understanding of the sanctions regimes and facilitate the implementation of the sanctions measures. Induction briefings were also provided to incoming members of the Council to familiarize them with the specific issues relevant to the sanctions regimes. The Division supported the visit of the Chair and members of the Committee to Djibouti, Ethiopia, Kenya and Somalia from 4 to 10 May.

38. To support the Committee in its recruitment of well-qualified experts to serve on sanctions monitoring groups, teams and panels, a note verbale was sent to all Member States on 5 December to request the nomination of qualified candidates for membership of the roster of experts. In addition, a note verbale was sent to all Member States on 14 August notifying them of upcoming vacancies on the Monitoring Group on Somalia and Eritrea (now the Panel of Experts on Somalia) and providing information on recruitment timelines, areas of expertise and pertinent requirements.

39. The Division continued to provide support to the Monitoring Group, conducting an induction for newly appointed members and assisting in the preparation of the Group's midterm update submitted in April and its final reports submitted in October In August, the Secretariat circulated an updated handbook for sanctions experts, containing information to facilitate their work and to answer frequently asked questions that may arise during their term. The information is based on relevant United Nations rules and regulations, as well as practices and procedures established by the Secretariat.

40. The Secretariat continued to update and maintain the Consolidated United Nations Security Council Sanctions List and the committee-specific sanctions lists in the six official languages and the three technical formats. Furthermore, the Secretariat implemented improvements concerning the effective utilization of and access to sanctions lists, as well as the further development in all official languages of the data model approved in 2011 by the Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, as requested by the Security Council in paragraph 54 of resolution 2368 (2017).

41. Pursuant to resolution 2444 (2018), the Division provided assistance to activities related to the termination of the sanctions on Eritrea and the establishment of the Panel of Experts on Somalia, including the update of the Committee website and the recruitment of experts.